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Approved For Release 2003/11/06 : CIA-RDP84B00890R000600040006-4

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81-1911

15 SEP 1981

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: Security Processing of Panelists ☐

REFERENCE: Headquarters Regulation ☐

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1. Action Requested: This memorandum contains a recommendation for your approval. It concerns the establishment of security standards, particularly a polygraph requirement, for all Agency panelists. ☐

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2. Background: The Chairman of the DCI Scientific and Technical Intelligence Committee has requested an Office of Security policy determination regarding the polygraphing of members of the Committee before being granted access to National Intelligence Estimates and other highly classified intelligence. The request is representative of a continuing debate over the years regarding security standards applicable to panelists that were both appropriate to the protection of Agency information and realistic in recognition of the unique status of panelists. In law, they are "special Government employees" with the same status as consultants. In practice, it has been difficult to insist the security standards set for consultants be applied to panelists. They are highly qualified and knowledgeable individuals from academe, industry and Government who are not easy to recruit and whose services generally are not offered because of monetary considerations or other factors related to self-interest. Some panelists have resisted and continue to resist polygraph testing as a matter of principle. The Office of Security weighed reasonable security standards against the necessity to maintain the viability of a valuable program, and in July 1978 adopted the general guidelines set forth in the attachment. ☐

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3. Staff Position: The Office of Security, after analysis of its experience in the implementation of the 1978 general guidelines, has concluded that refinement is in order. Tracking the status of panelists in terms of enforcement has been difficult. To illustrate, paragraphs 1c and e of the attachment lack specifics appropriate to a uniform standard that best serves control and enforcement. Further, a polygraph requirement should be governed by the nature of information to which a panelist is exposed. When highly sensitive information is involved,

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frequency of access or status as an official or employee of another Government agency are not primary factors in terms of establishing appropriate security safeguards.

The Office of Security advocates the establishment of definitive standards for the security processing of panelists. To this end, the following criteria are proposed:

a. The existing requirements for a background investigation and/or certification of Top Secret clearance by other agencies be affirmed.

b. All new panelists will be afforded a limited counterintelligence phase polygraph.

c. All current panelists who have not been polygraphed will not be required to take the examination unless they volunteer for it.

d. Only the DCI or DDCI may waive the polygraph requirement for new panelists.

The standard set forth above eventually will result in the security benefit of polygraph screening. For the present, it is possible this benefit will not be available in most cases. Of the nine panelists on the DCI Scientific and Technical Committee, only two have been polygraphed. A third has volunteered to accept an examination. At least two could be expected to leave "as a matter of principle" if required to take a polygraph examination, limited or otherwise. Two of eleven members of the DCI Nuclear Intelligence Panel have been polygraphed; the position of the other members regarding a polygraph requirement is unknown.

On balance, it is believed that any risk imposed by failure to insist on an immediate polygraph requirement is not inordinate. Establishment of a well-defined policy is a benefit in itself and, in time, will appreciably improve the overall security posture of the Agency. ☐

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4. Recommendation: It is recommended that you approve the proposed security standards for panelists. ☐

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Attachment

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SUBJECT: Security Processing of Panelists

CONCUR:

Director, National Foreign Assessment Center

Date

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9 OCT 1981

Deputy Director for Science and Technology

Date

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Deputy Director for Operations

Date

APPROVED:

The DCI elected not to approve the
 DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE
 Director of Central Intelligence

Dg

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*proposed security
 standards for panelists
 based on the concerns
 the DDNFA.*

10/2/81

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ATTACHMENT

13 July 1978

SUBJECT: Security Processing of Consultants and Panelists

1. The Director of Security has established as a matter of policy that the extent of security processing of Agency panelists and consultants will be based on the degree of access to Agency facilities, as well as the degree of access to sensitive Agency information. The following general guidelines will apply:

a. At a minimum, all panelists in the private sector having access to Agency information will be required to have at least a Top Secret clearance based on a background investigation conducted within the past five years.

b. Panelists in the private sector who require Visitor-No-Escort badges will also be polygraphed. As a general practice, this will be the more limited counterintelligence type coverage.

c. Panelists in the private sector who require occasional access to the Headquarters building, such as attendance at quarterly conferences, will not be polygraphed. Basic responsibilities in appropriately monitoring these situations rest with the sponsoring office.

d. Panelists from other Government agencies will not normally be polygraphed. It will be the responsibility of Clearance Division to conduct a full review of the security file at the parent agency to ensure the existence of a Top Secret clearance, and the adequacy of the investigation under DCID 1/14.

e. Consultants having access to National Intelligence Estimates involving particularly sensitive sources and methods will be polygraphed. There will be the more restricted counterintelligence type coverage.

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2. It is understood and accepted that Clearance Division will conduct checks as appropriate in order to make use of any background investigations which exist elsewhere in Government on candidates for positions as panelists or consultants. When there are no recent investigations, it is incumbent upon the sponsoring office to provide the basic data so that we can update the field coverage.

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